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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Schreiber et al.

Serial No.: 08/922,240

Filed: August 27, 1997

For: Gene Therapy by Cell Specific Targeting

Atty. Docket No: APBI-P01-007

Art Unit: 1633

Examiner: Sorbello, E.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

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Washington, DC 20231

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OCT 09 2002

**RESPONSE AND AMENDMENT**

**TECH CENTER 1600/2900**

Dear Sir:

Applicants submit this Response and Amendment in response to the final Office Action dated March 27, 2002. A Notice of Appeal and Petition for a three-month extension of time and appropriate fees are filed concurrently herewith.

For the convenience of the Examiner, all claims being examined, whether or not amended, are presented below. A marked-up version is provided after the clean version.

Please amend the claims as follows:

Please cancel claims 2, 3, 17, 27, 30, 31, and 40-43 without prejudice.

1. (Amended) A method for preferentially inhibiting T cells which include a recombinant gene encoding a mutated macrolide binding protein (MBP) selected from an FK506-binding protein (FKBP), cyclophilin, calcineurin, and FKBP:rapamycin associated protein (FRAP), which method comprises contacting the cell with a macrolide which